

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

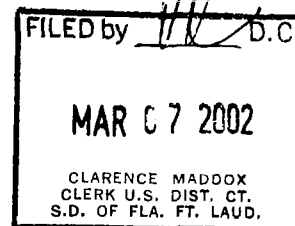
UNITED STATES OF AMERICA, CASE NO. 00-6309-CR-DIMITROULEAS/SEITZ

Plaintiff,

vs.

FRED MORGENSTERN,  
DAVID MORGENSTERN,  
JOSEPH SILVESTRI,  
FREDERICK SCAROLA,  
CHARLES CLAY, and  
MARK WEISS,

Defendants.



**ORDER**

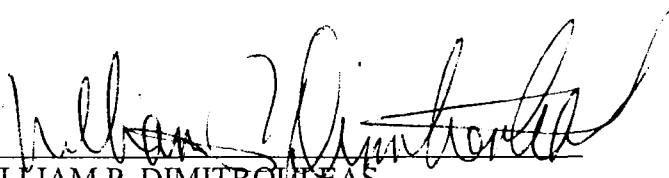
THIS CAUSE having been heard upon Defendant Weiss' February 5, 2002 Motion For Authorization to Receive Daily Transcripts of Trial Proceedings, the Court has discretion, but said request is Denied. This costly request is not necessary for a fair determination in this case. For this incidental convenience, the Constitution does not require that the Government furnish defendants with every luxury that a wealthy person might afford. Gardiner v. California , 393 U.S. 367, 372 (1969). Non-indigent defendants rarely, if ever, absorb the cost of this somewhat helpful, but unnecessary procedure. Counsel can take notes and rely upon his recollection of the proceedings. Finally, there is no indication that the Government has ordered

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894

daily copies of transcripts. See, U.S. v. Bari, 750 F. 2d 1169, 1181-82 (2d Cir. 1984).

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this

7 day of March, 2002.

  
WILLIAM P. DIMITROULEAS  
United States District Judge

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